

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:08-cr-00016-MR**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MATTHEW JAMES DURY,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court upon the Defendant's "Petition for Executive Commutation and Deportation to the Netherlands" [Doc. 195].

In the present motion, the Defendant moves the Court to grant him a commuted sentence, to legally change his name, and to deport him to the Netherlands. [Id.].


The Defendant's motion is frivolous and legally baseless. To the extent that the Defendant requests a commutation of his sentence, he must direct his request to the President of the United States, who has the sole discretionary authority to grant a pardon or commutation. See Schick v. Reed, 419 U.S. 256, 267 (1974). With respect to the Defendant's request to change his name, this Court does not have jurisdiction to entertain the

Defendant's request. Finally, the Defendant's request to be deported to the Netherlands is frivolous and is denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's "Petition for Executive Commutation and Deportation to the Netherlands" [Doc. 195] is **DENIED.**

**IT IS SO ORDERED.**

Signed: February 18, 2021

  
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Martin Reidinger  
Chief United States District Judge

